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CITY COUNCIL MEETING

APRIL 9, 2013

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**SUMMARY MINUTES**  
**REGULAR COUNCIL MEETING**

**April 9, 2013**

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, April 9, 2013, beginning at 7:05 p.m.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

Note: The actual agenda and all backup materials for each City Council meeting can be found at: [www.northmiamifl.gov](http://www.northmiamifl.gov)

Flag salute led by Chief Marc Elias, Jr.

Inspirational Message

♦ Rabbi Abraham

**ROLL CALL**

Vice Mayor Steril	Here
Councilman Galvin	Here
Mayor Pierre	Here
Councilman Marcellus	Here
Councilman Blynn	Here

**Additions, Deletions or Withdrawals**

Tab C, pulled

- Dr. Claude requested to pull Tab C until the next Council meeting on April 23<sup>rd</sup>, 2013. Mayor Pierre moved to pull Tab C, seconded by Councilman Galvin for discussion; Council discussion. Council voted; passed unanimously.

Tab E, continued

- Councilman Galvin moved to continue Tab E, until the next Council meeting on April 23<sup>rd</sup>, 2013, seconded by Councilman Blynn; for



discussion. Council discussion. Councilman Galvin withdrew his motion. Councilman Galvin moved the motion forward, Council voted; passed 4-1. Mayor Pierre denied.

Tab I, added

- Mayor Pierre moved to add Tab I, seconded by Vice Mayor Steril; for discussion. Council discussion. Council voted; passed 4-1, by roll call vote. Councilman Galvin denied.

### **SPECIAL PRESENTATION(s)**

#### ◆ Proclamation in honor of *Fair Housing Month*

Mayor Pierre recognized Rob Collins, Housing Opportunities Project for Excellence (HOPE); presenting a Proclamation. Whereas Mayor Pierre proclaimed April, 2013, to be *Fair Housing Month*, in the City of North Miami. Mr. Collins gave a brief report to Council regarding HOPE.

#### ◆ Proclamation in honor of *National Autism Awareness Month*

Mayor Pierre recognized Jordan Nab, Dean of Marino Campus; presenting a Proclamation. Whereas Mayor Pierre proclaimed April, 2013, to be *National Autism Awareness Month*, in the City of North Miami. Mr. Nab gave a brief report to Council regarding the organization embarking on a post secondary campus in Fort Lauderdale.

#### ◆ Proclamation in honor of *Jazz Appreciation Month*

Mayor Pierre recognized Howard Duperlee, WDNA Radio Station; presenting a Proclamation. Whereas Mayor Pierre proclaimed April, 2013, to be *Jazz Appreciation Month*, in the City of North Miami. Mr. Duperlee gave a brief report to Council regarding activities and events of WDNA Radio Station.

#### ◆ Proclamation in honor of *National Financial Literacy Month*

Mayor Pierre recognized Cathy Haga, Junior Achievement of Miami; presenting a Proclamation. Whereas Mayor Pierre proclaimed April, 2013, to be *National Financial Literacy Month*, in the City of North Miami. Ms. Haga gave a brief report to Council regarding Junior Achievement of Miami.

#### ◆ Adult Education Tuition Program at North Miami Senior High School

presentation by *Dr. Lumane Pluviose-Claude, Deputy City Manager*

Mayor Pierre recognized Dr. Lumane Pluviose-Claude, Deputy City Manager; and Natasha Colebrook Williams, Governmental Affairs Manager; giving a brief report to Council regarding the adult education tuition program, recognizing everyone involved in making the program a success.

- ◆ American Cancer Society, North Miami's "Relay for Life" event, May 31, 2013, presentation by *Vanessa Pineda, Community Representative*

Mayor Pierre recognized Vanessa Pineda, giving a brief report to Council regarding the upcoming North Miami's Relay for Life event for the American Cancer Society.

- ◆ North Miami 2014 Mardi Gras Project Update by *Ringo Cayard, MAJ Investments*

Mayor Pierre recognized Ringo Cayard, updating Council on the 2014 Mardi Gras Project event, reviewing logistics. Council discussion.

Councilman Marcellus moved to approve the recommended date of April 6, 2014, seconded by Councilman Galvin; passed unanimously.

- ◆ Presentation of Draft Downtown Master Development and Major Corridor Plan by *Keith & Schnars*

Mayor Pierre recognized Dawn Somaborn, Director of Planning; Bruce Reid and Shay Hanson, Landscape and Architecture Department; and Debbie Love, Planning Department; giving a brief presentation to Council.

## **CITY EVENTS – ANNOUNCEMENT**

Pam Solomon, Public Information Manager, announced upcoming events for the City of North Miami.

## **CITY PROJECTS UPDATE**

Kerrith Fiddler, Assistant Public Works Director, gave a brief update on a current city project:

- Pioneer Boulevard Streetscape improvements



## **CONSENT AGENDA**

### **TAB A - APPROVAL OF MINUTES**

– Regular Council Meeting – March 26, 2013

### **TAB B – PROPOSED RESOLUTION AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE OFFICER MICHAEL CHIN IN RECOGNITION OF EIGHTEEN (18) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT**

### **TAB C – PROPOSED RESOLUTION APPROVING SUBMITTAL OF AN APPLICATION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY AN AREA BORDERED ON THE WEST SIDE BY NORTHWEST 16TH AVENUE, ON THE EAST SIDE BY NORTHWEST 13TH AVENUE, ON THE NORTH SIDE BY NORTHWEST 131ST STREET AND ON THE SOUTH SIDE BY NORTHWEST 135TH STREET, IDENTIFIED AS THE SUNKIST GROVE ANNEXATION AREA (OTHERWISE KNOWN AS “AREA 2”)**

Tab C, pulled, see under Additions, Deletions or Withdrawals.

Vice Mayor Steril moved to approve the Consent Agenda, Tabs A and B, minus Tab C, seconded by Councilman Marcellus; passed unanimously.

## **PUBLIC HEARINGS – ORDINANCES, RESOLUTIONS, ZONING, LAND USE ITEMS, ETC.**

### **QUASI-JUDICIAL ITEM(S)**

Michael Etienne, Esquire, City Clerk, swore in anyone speaking on Tab D, for true and correct testimony.

### **TAB D – PROPOSED RESOLUTION AUTHORIZING APPROVAL OF THE CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING TWENTY-SEVEN (27) BONUS UNITS FROM OUTSIDE THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT SECONDARY POOL OF ONE THOUSAND (1,000) FLOATING RESIDENTIAL UNITS FOR THE PROPERTY KNOWN AS PARKVIEW VILLAS, GENERALLY LOCATED ON THE NORTH SIDE OF NORTHEAST 135TH STREET**

**AT APPROXIMATELY FIVE THOUSAND TWO HUNDRED EIGHTY-NINE FEET (5,289') EAST OF BISCAYNE BOULEVARD, IN ACCORDANCE WITH ARTICLE 4, SECTION 4-204 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS**

Mr. Etienne read the Resolution title for the record. No public discussion. Manny Solofsky, Member of the Development Team, representing petitioner, gave a brief report to Council. Council discussion. Councilman Galvin moved to approve the Resolution, seconded by Councilman Marcellus; passed unanimously.

**LEGISLATIVE MATTERS**

**RESOLUTIONS**

**TAB E – PROPOSED RESOLUTION PROVIDING FOR APPROVAL OF A MODIFICATION TO THE BIFURCATED GROUND LEASE BETWEEN THE CITY OF NORTH MIAMI, FLORIDA, THE OAKS I AT BISCAYNE LANDING CONDOMINIUM ASSOCIATION, INC., AND ROYAL OAKS LANE (BISCAYNE LANDING) – NORTH MIAMI, LLC; AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE THE MODIFICATION (CONTINUED FROM MARCH 26, 2013 COUNCIL MEETING)**

Tab E, continued, no action taken.

**TAB F - PROPOSED RESOLUTION CALLING FOR THE CANCELLATION AND CONTINUANCE OF CITY COUNCIL MEETINGS IN OBSERVANCE OF CERTAIN LEGAL AND RELIGIOUS HOLIDAYS**

Mr. Etienne read the Resolution title for the record. Council discussion. Regine Monestime, City Attorney, gave a brief report to Council. Councilman Galvin moved to continue the Resolution indefinitely, seconded by Vice Mayor Steril; passed unanimously.

**REQUESTS – PETITIONS – COMMUNICATIONS**

**TAB G – DISCUSSION AND APPROVAL TO DONATE \$5,000 TO POLICE ATHLETIC LEAGUE (PAL) FOR THEIR ANNUAL F.A.C.T. FESTIVAL EVENT ON APRIL 27, 2013**



Mr. Etienne read the title for the record. Public discussion. Council discussion. Dr. Lumane Pluviose-Claude, Deputy City Manager, gave a brief report to Council advising funds will be taken from unexpected revenue per the City Manager. Councilman Blynn moved to approve the Request, seconded by Vice Mayor Steril; passed 4-1. Councilman Galvin denied.

**TAB H – DISCUSSION AND APPROVAL TO DONATE \$2,500 TO “A TASTE OF HAITI” EVENT SCHEDULED FOR MAY 11, 2013**

Mr. Etienne read the title for the record. Public discussion. Council discussion. Mayor Pierre moved to approve the Request, seconded by Vice Mayor Steril; for discussion. Council discussion. Ms. Monestime gave a brief report to Council advising the request did not follow the guidelines. Dr. Claude advised documentation was provided to staff and is in compliance with city guidelines. Council voted; passed 4-1. Councilman Galvin denied.

**TAB I – REQUEST FROM PASTOR JACK HAKIMIAN OF IMPACT MIAMI, INC. TO UTILIZE THE MOCA PLAZA, CITY’S SHOWMOBILE AND SOUND EQUIPMENT FOR THE NATIONAL DAY OF PRAYER, MAY 2, 2013, 7 TO 9 P.M.**

Mr. Etienne read the title for the record. Pastor Jack Hakimian, present, gave a brief report to Council. Public discussion. Council discussion. Councilman Blynn moved to approve the Request, seconded by Mayor Pierre; passed 4-1. Councilman Galvin denied.

**CITIZENS’ FORUM**

A variety of residents spoke on issues of interest.

**COUNCIL REPORTS**

Various items of interest presented by Council.

**CITY CLERK’S REPORT**

Mr. Etienne reported the qualifying period for candidates ended today with 15 candidates qualifying for the upcoming election. Mr. Etienne advised everyone to monitor the website for more information on the upcoming election and candidates.

Mr. Etienne advised regarding the Charter question on the master ballot:



- Council Candidacy Requirement is for Council and does not include the Mayor or City Clerk.

Ms. Monestime advised the provision includes Council and Council persons and provided language referenced in the Code stating, "...refers to Mayor and Council." Councilman Galvin moved to include language, "...for City Council and City Clerk..."; seconded by Councilman Blynn; passed unanimously.

- Charter Update does not specify what sections would be removed from the Charter.

Ms. Monestime clarified provisions to be removed were recommended by the Charter Review Board and are presented to electors for approval. Ms. Monestime advised the actual Charter with deletions is available.

Mr. Etienne advised the North Miami Election would coincide with a Miami-Dade County wide election, dates for early voting would change and to reference the city clerk's website for additional information.

Mr. Etienne acknowledged city clerk's staff and services available in the city clerk's office.

#### **CITY MANAGER'S REPORT**

Dr. Claude advised the city manager was absent because he was not feeling well.

Dr. Claude advised the city manager would allocate additional staff to assist the process in utility billing.

#### **CITY ATTORNEY'S REPORT**

(NONE)

#### **ADJOURNMENT**

Meeting adjourned at 10:42 p.m.